

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

May 3, 2005

LB 211

stealing a public resource if that was to apply anyway. And the guts of the bill is essentially a laundry list of functions which could be played by the State Archeology Office but all of those do say "may" and they include: promoting and developing archeological resources, supporting avocational interest in archeological resources, conducting programs of locating, identifying and quantifying the significance of our resources, our archeological resources, maintain a master archeological site file, advise state agencies, serve as the liaison office in transactions dealing with the exchange of archeological resources. It certainly authorizes the Archeology Office to go out and get grants because it is not expected that this have an A bill. What the State Historical Society needs to do is to redeploy its existing resources or go to its foundation or to the populace for additional support other than General Funds. That's why there's no A bill on this. Again, the bill is...the functions and duties of the Archeology Office are put in "may" rather than "shall" so that they can take on those functions that they can pay for, if you will, those things that they can undertake that they'll have authority to do and that they have the resources to do. The essential clarity of the bill is in Section 5: Except as provided in subsection (2) of this section, the head of any state agency having jurisdiction over a proposed state or state-funded undertaking which has potential to affect archeological resources or sites, shall, prior to the approval of the expenditure of any state funds on the undertaking, notify the State Archeology Office of the undertaking and cooperate with the office to identify and develop measures to mitigate the effect of the undertaking on any archeological site or resource that is included in or eligible for inclusion in the National Registry of Historic Places. This will not hamper private property. This is for public assets, state-owned assets, so that we do not destroy our own historical records in the desire to pave the world. Now, understand that there are Cash Funds available. They could take grant monies. They're authorized to go out and get monies. They're also authorized to accept donations so that there are Cash Funds but no General Funds. I think that's a fair description of the amendment that I'm offering. I would answer any questions and respond to your concerns.